UNITED NATIONS

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Economic and Social Council

Distr.
GENERAL

E/CN.4/1996/25
15 January 1996

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Item 6 of the provisional agenda

QUESTION OF THE REALIZATION OF THE RIGHT TO DEVELOPMENT

Report of the Secretary-General submitted pursuant to Commission resolution 1995/17

1. In its resolution 1995/17 entitled "The right to development", the Commission on Human Rights requested the Secretary-General to submit to the Commission at its fifty-second session a report on the implementation of the resolution.

2. In paragraph 4 of the resolution, the Commission requested the Secretary-General to take steps to implement the recommendations made by the Working Group in its second and third sessions, particularly by providing the Centre for Human Rights with a focal unit with the specific task of following up on the Declaration on the Right to Development and its implementation. Furthermore, in paragraph 10, it called on the Centre for Human Rights to give priority to the right to development by making it a subprogramme of its programme of activities for the years 1992-1997 and of its future programme of activities.

3. The Economic and Social Council, by decision 1995/258, approved the request addressed to the Secretary-General to take steps to implement the recommendations made by the Working Group in its second and third sessions, particularly by providing the Centre for Human Rights with a focal unit with the specific task of following up on the Declaration on the Right to Development and its implementation. The High Commissioner for Human Rights has given particular attention to the right to development in the restructuring of the Centre for Human Rights. A new branch is being created which will have special responsibility for the promotion of respect for the right to development.

4. In paragraph 9 of the resolution, the Commission decided that the Working Group will hold two sessions, each for a two-week period, in April and September 1995 respectively, to formulate its recommendations for submission to the Commission at its fifty-second session.

5. The Economic and Social Council, in decision 1995/258, also approved the holding of two sessions of the Working Group on the Right to Development in April and September 1995. The Working Group held its fourth session from 15 to 26 May 1995 and its fifth session from 27 September to 6 October 1995.

6. In paragraph 12 of the resolution, the Commission requested the High Commissioner for Human Rights to continue promoting the implementation of the right to development and the Declaration on the Right to Development, inter alia, by working closely with the Working Group on the Right to Development and making recommendations for enhancing the support of relevant bodies of the United Nations system, in fulfilment of his mandate to promote and protect the realization of the right to development.

7. The High Commissioner for Human Rights is specifically charged with promoting and protecting the realization of the right to development and enhancing support from relevant bodies of the United Nations system for this purpose. His mandate is placed firmly within the perspective of the interdependent, interrelated and indivisible nature of all human rights. The High Commissioner has undertaken the formulation of a strategy in this area which will include: (a) identification, in cooperation with the agencies, treaty bodies, especially the Committee on Economic, Social and Cultural Rights, and experts of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, of ways to improve implementation of the right to development and economic, social and cultural rights, including human rights aspects of a lasting solution to the debt crisis of developing countries; (b) consideration of the application of findings and recommendations of the Working Group on the Right to Development; (c) promotion of the right to development and economic, social and cultural rights at the national level, including pilot projects; (d) identifying further social and economic indicators which should facilitate assessing the progressive realization of economic, social and cultural rights and addressing violations of these rights; (e) preparation of procedures for communications regarding economic, social and cultural rights; (f) identification of the international action necessary to promote the right to development; (g) cooperation with international/regional financial and development organizations and with the regional economic commissions; (h) involvement of non-governmental organizations and grass-roots organizations active in development and human rights in the implementation of the Declaration on the Right to Development.

8. The strategy relating to the right to development and economic, social and cultural rights is being developed in the context of the Secretary-General's Agenda for Development and recent international conferences, in particular the World Summit for Social Development and the Fourth World Conference on Women. In order to strengthen the dialogue between human rights NGOs and those active in development, the High Commissioner, together with the Executive Secretary of the Economic Commission for Europe, convened during the fifty-first session of the Commission on Human Rights a meeting of NGOs from both groups to discuss the implementation of the right to

development from their perspectives. The High Commissioner is continuously emphasizing that protecting economic, social and cultural rights is particularly important during periods of structural adjustment and during transitions to market economies. Too often, basic rights such as those to health, food, shelter and education receive insufficient protection and the victims are frequently women and children.

9. As noted, the High Commissioner has given particular attention to the right to development in the restructuring of the Centre for Human Rights. In addition to the new branch, in his other activities, in particular those relating to Rwanda, the right to development is given special emphasis.

10. In the context of the reform of the Bretton Woods institutions, which was discussed during the Summit of the Group of seven major industrialized countries, held at Halifax, Canada, in June 1995, the High Commissioner raised the issue of the role of the World Bank and the International Monetary Fund in the field of human rights with the Foreign Ministers of the G-7 countries, as well as with the President of the European Commission. He stressed, inter alia, the role the international financial institutions should play with respect to social programmes.

11. In paragraph 14 of the resolution, the Commission decided that the reports of the Working Group on its work should, along with other relevant documentation relating to development, be made available to the General Assembly in the context of the celebration of the fiftieth anniversary of the United Nations.

12. In accordance with the above request, the Secretary-General, in a note addressed to the General Assembly at its fiftieth session, drew its attention to the reports of the Working Group on the Right to Development on its first, second and third sessions (E/CN.4/1994/21 and Corr.1; E/CN.4/1995/11 and E/CN.4/1995/27) as well as to the reports on its fourth and fifth sessions (E/CN.4/1996/10; E/CN.4/1996/24), and to the report of the Secretary-General prepared pursuant to Commission on Human Rights resolution 1994/11 (E/CN.4/1995/25 and Add.1 and 2).

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